

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS\_\_\_\_\_  
ROBERT HARRINGTON, et al.,

Plaintiffs

v.

DELTA AIR LINES, INC., et al.,

Defendants.  
\_\_\_\_\_Civil Action No.  
04-12558-NMG**STIPULATION CONCERNING THE SCHEDULE FOR AMENDING THE  
COMPLAINT AND FILING RESPONSIVE PLEADINGS THERETO**

The parties to this case hereby stipulate and agree that the Plaintiffs shall have up to and including May 30, 2005 to file their Amended Complaint, and the Defendants shall have up to and including July 15, 2005 to answer or otherwise respond by way of motion to dismiss or other appropriate motion. As grounds for this Stipulation, the parties state follows:

In response to the Motions to Dismiss filed by Defendants Delta Air Lines, Inc., American Airlines, Inc., Northwest Airlines, Inc., Alaska Airlines, Inc., Continental Airlines, Inc., Southwest Airlines Co., and Air Transport Association of America, Inc. ("ATA") (collectively the "Domestic Defendants")<sup>1</sup> and the Motion to Dismiss filed by Lufthansa, A.G., the Plaintiffs indicated that they intend to file an Amended Complaint. Plaintiffs' counsel has indicated that he will require additional time to prepare his Amended Complaint due to health issues that he is currently resolving. Once the Amended Complaint is filed, the Domestic Defendants and Lufthansa (and perhaps other defendants as well) may file renewed Motions to

<sup>1</sup> Three (3) separate Motions to Dismiss were filed by the Domestic Defendants. Alaska Airlines and ATA each filed separate Motions to Dismiss Pursuant to Fed.R.Civ.P. 12(b)(2) and the Domestic Defendants filed a joint Motion to Dismiss Pursuant to Fed.R.Civ.P. 12(b)(6).

Dismiss which, depending on how the Plaintiffs' claims have changed, will likely address some different arguments from the Domestic Defendants' original Motion to Dismiss.

WHEREFORE, the parties respectfully request that this Stipulation be approved by the Court, and that the Plaintiffs be permitted to file their Amended Complaint by May 31, 2005, and Defendants be permitted to respond the Amended Complaint by July 15, 2005.

Delta Air Lines, Inc., American Airlines, Inc.,  
Northwest Airlines, Inc., Alaska Airlines, Inc.,  
Continental Airlines, Inc., Southwest Airlines  
Co., and Air Transport Association of America,  
Inc.

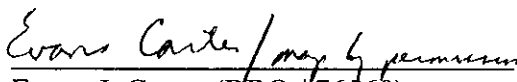
By their Attorneys



Matthew A. Porter (BBO #630625)  
Michael S. Shin (BBO #658134)  
DECHERT LLP  
200 Clarendon Street, 27<sup>th</sup> Floor  
Boston, MA 02116  
(617) 728-7100

Robert J. Harrington, et al.

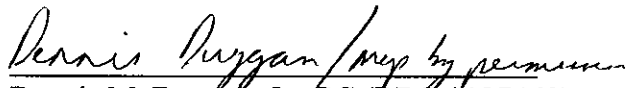
By their Attorneys



Evans J. Carter (BBO #76560)  
HARGRAVES, KARB, WILCOX &  
GALVANI, LLP  
550 Cochituate Road - P.O. Box 966  
Framingham, MA 01701-0966  
(508) 620-0140

Alaska Airlines, Inc.,

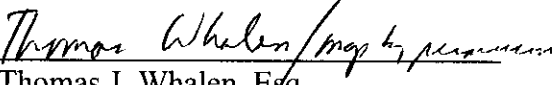
By its Attorneys



Dennis M. Duggan, Jr., PC (BBO #137460)  
Michael L. Cornell (BBO #651405)  
NIXON PEABODY LLP  
100 Summer Street  
Boston, MA 02110-2130  
(617) 345-1000

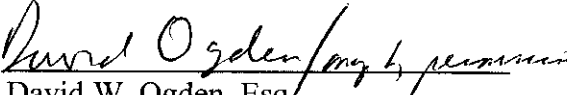
China Eastern Airlines Corporation  
Limited and China Southern Airlines  
Corporation Limited

By their Attorneys

  
Thomas J. Whalen, Esq.  
CONDON & FORSYTH LLP  
1016 Sixteenth Street, N.W.  
Washington, DC 20036  
(202) 289-0500

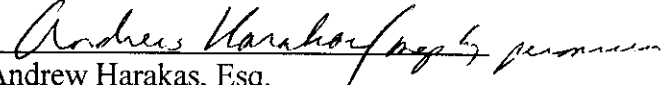
Deutsche Lufthansa, A.G.  
d/b/a Lufthansa Airlines

By Their Attorneys

  
David W. Ogden, Esq.  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
2445 M Street, N.W.  
Washington, DC 20037-1420  
(202) 663-6000

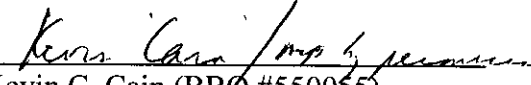
Olympic Airways, S.A. (sued as Olympic  
Airways-Services, SA  
d/b/a Olympic Airways

By their Attorneys

  
Andrew Harakas, Esq.  
CONDON & FORSYTH LLP  
685 Third Avenue  
New York, NY 10017  
(212) 490-9100

British Airways, plc d/b/a British Airways,  
and Alitalia-Linee Aeree Italiane S.p.A.  
d/b/a Alitalia Airlines

By Their Attorneys

  
Kevin C. Cain (BBO #550055)  
PEABODY & ARNOLD LLP  
30 Rowes Wharf  
Boston, MA 02110-3342  
(617) 951-2100